



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5009

by Rep. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

210 ILCS 49/4-103
210 ILCS 49/4-105
210 ILCS 49/4-201

Amends the Specialized Mental Health Rehabilitation Act of 2013. Deletes a provision that provides that the emergency rules for provisional licensure shall be for a period of 3 years and shall not be extended beyond that date. Changes the commencement of the provisional license period from the adoption date of emergency rules establishing provisional licenses to the provisional license's date of issuance. Corrects an internal cross-reference. Effective immediately.

LRB099 18341 MJP 42716 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Specialized Mental Health Rehabilitation
5 Act of 2013 is amended by changing Sections 4-103, 4-105, and
6 4-201 as follows:

7 (210 ILCS 49/4-103)

8 Sec. 4-103. Provisional licensure emergency rules. The
9 Department, in consultation with the Division of Mental Health
10 of the Department of Human Services and the Department of
11 Healthcare and Family Services, is granted the authority under
12 this Act to establish provisional licensure and licensing
13 procedures by emergency rule. The Department shall file
14 emergency rules concerning provisional licensure under this
15 Act within 120 days after the effective date of this Act. ~~The~~
16 ~~rules to be filed for provisional licensure shall be for a~~
17 ~~period of 3 years, beginning with the adoption date of the~~
18 ~~emergency rules establishing the provisional license, and~~
19 ~~shall not be extended beyond the date of 3 years after the~~
20 ~~effective date of the emergency rules creating the provisional~~
21 ~~license and licensing process.~~ Rules governing the provisional
22 license and licensing process shall contain rules for the
23 different levels of care offered by the facilities authorized

1 under this Act and shall address each type of care hereafter
2 enumerated:

- 3 (1) triage centers;
4 (2) crisis stabilization;
5 (3) recovery and rehabilitation supports;
6 (4) transitional living units; or
7 (5) other intensive treatment and stabilization
8 programs designed and developed in collaboration with the
9 Department.

10 (Source: P.A. 98-104, eff. 7-22-13.)

11 (210 ILCS 49/4-105)

12 Sec. 4-105. Provisional licensure duration. A provisional
13 license shall be valid upon fulfilling the requirements
14 established by the Department by emergency rule. The license
15 shall remain valid as long as a facility remains in compliance
16 with the licensure provisions established in rule. The
17 provisional license shall expire ~~when the administrative rule~~
18 ~~established by the Department for provisional licensure~~
19 ~~expires~~ at the end of a 3-year period, which commences on the
20 date the provisional license is issued.

21 (Source: P.A. 98-104, eff. 7-22-13.)

22 (210 ILCS 49/4-201)

23 Sec. 4-201. Accreditation and licensure. At the end of the
24 provisional licensure period established in Article 4 3, Part 1

1 of this Act, the Department shall license a facility as a
2 specialized mental health rehabilitation facility under this
3 Act that successfully completes and obtains valid national
4 accreditation in behavioral health from a recognized national
5 accreditation entity and complies with licensure standards as
6 established by the Department of Public Health in
7 administrative rule. Rules governing licensure standards shall
8 include, but not be limited to, appropriate fines and sanctions
9 associated with violations of laws or regulations. The
10 following shall be considered to be valid national
11 accreditation in behavioral health from an national
12 accreditation entity:

- 13 (1) the Joint Commission;
- 14 (2) the Commission on Accreditation of Rehabilitation
15 Facilities;
- 16 (3) the Healthcare Facilities Accreditation Program;
- 17 or
- 18 (4) any other national standards of care as approved by
19 the Department.

20 (Source: P.A. 98-104, eff. 7-22-13.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.